IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 13286 of 2004

Between:

Smt.C.Malini, w/o G.Gopal,
Appecherla Village, Peddavoduguru Mandal, Anantapur District.

..... PETITIONER

AND

1 The Joint Collector, Anantapur, Anantapur District.
2 The Revenue Divisional Officer, Anantapur, Anantapur District.
3 The Mandal Revenue Officer, Peddavoduguru Mandal, Anantapur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus, declaring the proceedings Rc.No.D1/CS/847/2004, dt.24-7-04 of the 2nd respondent as illegal, arbitrary and consequently set aside the same.

Counsel for the Petitioner:MR.K.SITA RAM,

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following :

O R D E R:

The petitioner is the authorised dealer of the fair price shop of Appecherla Village of Ananthapur District. The 2nd respondent herein, by proceedings dated 24-07-2004, suspended the authorization of the petitioner pending further enquiry into certain irregularities. Aggrieved by the same, the petitioner preferred an appeal before the 1st respondent-Joint Collector, Ananthapur along with an application for stay of the order of suspension. The grievance of the petitioner is that her application for stay has not been considered so far and in the meanwhile, the respondents are not allowing her to distribute commodities. It is alleged that the entire proceedings were initiated against her due to political rivalry and all the allegations made against her are without any basis.

Since the Statutory Appeal preferred by the petitioner against the impugned order of suspension is pending, I am not inclined to express any opinion on the merits of the case. Instead, I deem it appropriate to dispose of the writ petition with a direction to the 1st respondent-Joint Collector to consider the petition for suspension filed by the petitioner and to pass appropriate orders in accordance with law, as expeditiously as possible preferably within a period of one week. Since the petitioner states that she has been functioning as the fair price shop dealer, from the date of appointment in the year 1995, I am of the view that the interest of justice would be met, if the respondents are directed to allow the petitioner to distribute the commodities for a period of ten days from to-day, so as to enable the petitioner to pursue the proceedings pending before the 1st respondent-Joint collector.

The writ petition is accordingly, disposed of. No costs.

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29-07-2004

Mjl /*

To

1.The Joint Collector, Anantapur, Anantapur District.

2.The Revenue Divisional Officer, Anantapur, Anantapur District.

3.The Mandal Revenue Officer, Peddavoduguru Mandal, Anantapur District

4.2 CCs to G.P. for Civil Supplies, High Court of A.P.Hyderabad.(OUT)

5. 2 CD copies.